

REMARKS

Prior to the present amendment, claims 1-15 were pending. By way of the above amendments, claims 1, 8, and 13 have been amended, and claims 16-21 have been added. Accordingly, claims 1-21 currently are pending.

The amendments to each of independent claims 1, 8 and 13 were made merely to improve their readability and are not based on any response to a statutory requirement for patentability. Support for new claims 16, 18 and 20 can be found throughout the original disclosure, for instance, in paragraphs 0026, 0030 and 0041-0046, and in Figures 1,7 and 8. Subject matter of claim 17, 19 and 21 can be found, for example, in paragraphs 0025-0026, 0034-0049 and 0056-0058, and in Figures 1-8.

Favorable reconsideration and withdrawal of the rejections of the claims is respectfully requested in view of the following remarks:

All Pending Claims Comply with 35 U.S.C. § 112, Second Paragraph

The Office Action includes a rejection of claims 1, 3 and 10 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

With respect to claim 1, the Office Action asserts that is not clear whether the value from the output portion recited in line 11 corresponds to one of the different values assigned to the bit map data recited in line 7. In response, Applicants disagree that claim 1 is indefinite, especially when read in light of the specification. For instance, claim 1 recites "an output portion for outputting a value corresponding to the designated position." Claim 1 also recites that the designated position one that is detected by a position detecting portion, and that a designated position, in turn, is one "of a plurality of input regions to which different values are assigned respectively." When reading the claim as a whole, it is respectfully submitted that one of ordinary skill in the art would have understood that "a value," as recited in line 11 refers to one of the assigned values, the particular one depending on which one is associated with the designated position. However, to improve readability, Applicants have changed claim 1 to explicitly recite that the value output from the output portion is one of the different values that are respectively assigned to the plurality of input regions. It is

respectfully submitted that claim 1 is definite, and complies with the requirements under Section 112.

The Office Action also includes an allegation that claims 3 and 10 are not clear, and requests clarification of the claimed features. With respect to the Examiners request for clarification, Applicants respectfully direct his attention to the exemplary embodiment shown in Figure 6, and the description thereof in paragraphs 0047-0049. As described therein, bit map data includes values that are assigned to corresponding regions respectively larger or smaller than those regions of respective components in the general view of an illustrated apparatus (e.g., the printer shown in the general view of 141 of the printer illustrated in structural drawing 140 shown in Figure 2). For example, the bit map data may include at least a part of a first region (e.g., the region corresponding to a region of a printer stack) that may be difficult to designate because it is relatively small. A second region (e.g., region 161), which is larger in size from the depicted first region, is assigned a value so that the region can be readily designated. The specification also describes, for example, in paragraph 0049, an exemplary embodiment in which second regions of the bit map are smaller than first regions of the general view of the structural drawing of the apparatus. It is respectfully submitted that these described features are within the broad scope of claims 3 and 10, and that the claimed features are clearly recited, especially when read in light of the specification.

With respect to the Examiner's statement: "no further limitation is mentioned regarding a value corresponding to the second region," it is respectfully pointed out that lines 5-8 of claim 3 may be alternatively and equivalently restated to read that "a value corresponding to said one input region is assigned to a second region different in size from said one input region of said display image data." Similar features recited in claim 10 can be similarly restated. It is respectfully submitted that these features of claims 3 and 10 are clear and definite.

For these reasons, Applicants submit that claims 1, 3 and 10 clearly set forth what they regard as their invention. Accordingly, the rejection under Section 112 should be withdrawn.

All Pending Claims Recite Allowable Subject Matter

The Office Action includes a rejection of claims 1, 2, 4-6, 8, 9, 11 and 13-15 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,732,222 to Miyagawa et al. This rejection is respectfully traversed.

Applicants respectfully submit that the Miyagawa et al. patent does not either explicitly or inherently disclose the combination of each and every recited feature of claim 1, as it must, in order to anticipate claim 1. (See MPEP § 2131.) For instance, claim 1 recites “a memory unit storing bit map data corresponding to said display image data, said bit map data including data corresponding to respective positions of said plurality of input regions to which *different values are assigned respectively*.” The Miyagawa et al. patent, however, does not disclose that bit map data includes data corresponding to respective positions of the plurality of input regions to which *different values are respectively assigned*. By contrast, the parts of Miyagawa et al. cited in the Office Action describe “processing form data 29e,” which contains the *contents of an operation* corresponding to a selected icon. It is respectfully submitted that the *contents of an operation* corresponding to a selected icon, as described in Miyagawa et al., does not necessarily disclose that a *different value* is respectively assigned to bit map data corresponding to respective positions of the plurality of input regions, as claimed.

Claim 1 also recites that the input data process device comprises an output portion for outputting the value corresponding to the designated position detected by a detecting portion. With respect to this claimed feature, the Action alleges the Miyagawa et al. patent discloses, at column 7, line 40 to column 8, line 29, and in Figures 8 and 9, “when a candidate icon is selected, corresponding vote count buffer is incremented by one.” (See the Office Action, page 3, the last two lines.) It is respectfully submitted, however, that the when CPU 12 adds 1 to the count buffer (see column 8, lines 20-24), it is apparently performing an operation according to a program stored in the RAM’s processing control section 20 in response to a command in the data of the processing form data 29e recognized by the discriminating section 23B. (See column 6, lines 56-57 and column 7, lines 5-7.) Hence, the value “1” does not appear to be necessarily assigned to position data of the region data buffer 29.

In any event, even if one were to consider that the value "1" were to be somehow assigned to data corresponding to respective positions of a plurality of regions, this hypothetical scenario would not meet the claimed combination of specific features including *different values* respectively assigned because *every* vote in Miyagawa et al. would appear to have the *same* value "1."

For at least these reasons, claim 1 is believed to recite patentable subject matter. Claims 8 and 13 are respectively directed to a method and a computer program product and similarly recite features not disclosed in Miyagawa et al. Hence, claims 8 and 13 are believed patentable.

Claims 2, 4-6, 9, 11, 14 and 15 depend from one of claims 1, 8 and 13 are therefore allowable for at least the above reasons, and for the additional features recited. Dependent claims 3 and 10 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Miyagawa et al. It is respectfully submitted, however, that claims 3 and 10 are allowable at least because the Miyagawa et al. patent does not teach or suggest the combination of features recited in amended independent claims 1 and 8, from which claims 3 and 10 depend. Moreover, dependent claims 2-6, 9-11, 14 and 15 recite combinations including additional features that define further points of distinction.

Claims 7 and 12 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Miyagawa et al. in view of Published U.S. Patent Application No. 2002/0030838 A1 to Toyama et al. This rejection is respectfully traversed.

It is respectfully submitted that the rejection of claims 7 and 12 fails to establish a *prima facie* case because the Miyagawa et al. patent does not teach or suggest the combination of features recited the respective parent claims 1 and 8, whether or not this patent is considered in any combination with the Toyama et al. publication. It is further submitted that one of ordinary skill in the art would not have considered combining Miyagawa et al. and Toyama et al., as proposed by the Examiner, because nothing in either of these documents would have suggested doing so.

In essence, the Office Action asserts that the Miyagawa et al. patent teaches the invention as claimed except for input regions representing a plurality of paper-supply trays.

Next, the Action cites disclosure in the Toyama et al. publication of a copy machine having a touch panel screen LCD unit 51 that displays a selectable number of paper size icons, with reference to paragraphs 0071 and 0086, and Figures 2, 8, 24. The Office Action then acknowledges that the apparatus controlled in Miyagawa et al. is different from the apparatus controlled, but asserts that it allegedly would have been obvious to have incorporated the input regions and selection method taught in Miyagawa et al. in the copier of the Toyama et al. publication because of their similarity in the input operation and “the straightforward adaptability.” It is respectfully submitted, however, that the Toyama et al. publication does not describe the claimed particulars missing in the Miyagawa et al. patent of a memory unit storing bit map data that includes data corresponding to respective positions of the plurality of input regions to which *different values* are respectively assigned. (See, for example, the description in Toyama et al., at paragraph 0074.) The Toyama et al. publication therefore fails to make up for the above-noted deficiencies of Miyagawa et al. with respect to independent claims 1 and 8. Hence, claims 7 and 12 are allowable for at least this reason.

Moreover, one of ordinary skill in the art would not have been led to combine these disparate documents as suggested in the Office Action. First, it is respectfully submitted that the Toyama et al. publication description of control of display of background color on a copy machine display device is of little or no relevance to the described operation of an election terminal apparatus as described in the Miyagawa et al. patent. Indeed, the Office Action states that the apparatus of the Miyagawa et al. is different from the apparatus of Toyama et al. Second, MPEP § 2143 instructs that there must be some motivation for proposed combination, found either in the applied document or in the knowledge available to those of ordinary skill in the art, to modify the reference teaching or combine the references. The rejection fails to meet this requirement because there is simply no description in the Miyagawa patent that would have taught or suggested to one of ordinary skill in the art the modifications that would have been necessary to the Toyama et al. copy machine to arrive at the claimed input data processing device having respectively assigned *different values* to bit map data corresponding to respective positions of input regions representing paper-supply trays shown on a display.

For the above reasons, the Miyagawa et al. patent and the Toyama et al. publication, whether considered individually or in any combination, fail to disclose, teach or suggest the combination of features recited in claims 1-15. The rejections thus fail to present a *prima facie* case of either anticipation or obviousness. As such, the rejections are improper and should be withdrawn. In addition, it is respectfully submitted that the applied documents do not teach or suggest the combinations of features recited in new claims 16-21.

In light of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections so that the present application can pass the issuance. Should any residual issues exist, the Examiner is requested to contact the undersigned so that the issuance of this patent will not be further delayed.

Respectfully submitted,

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